

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ANTHONY TOMAS GONZALES,

Plaintiff,

vs.

No. CV 24-578 SCY

**LELAND DUDEK,
ACTING COMMISSIONER OF SOCIAL SECURITY,**

Defendant.

ORDER

Upon consideration of the Stipulated Motion for Award of Attorney Fees Under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, the Court hereby awards Plaintiff \$5,972.40 in attorney fees under the EAJA.

IT IS SO ORDERED that the Stipulated Motion for Award of Attorney Fees Under the Equal Access to Justice Act (Dkt. No. 21) is hereby GRANTED. Plaintiff is awarded attorney fees in the amount of \$5,972.40 as the prevailing party herein. If Plaintiff's counsel is subsequently awarded any fees pursuant to 42 U.S.C. § 406(b), she must refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).


HONORABLE STEVEN C. YARBROUGH
United States Magistrate Judge

SUBMITTED AND APPROVED BY:

Electronically submitted 4/18/2025

AMBER L. DENGLER

Attorney for Plaintiff

Electronically approved 4/18/2025

MARGARET SOBOTA

Special Assistant United States Attorney